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**Via Facsimile: 617/ 748-9096
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**FILED
IN CLERKS OFFICE**

2005 FEB 14 R 1:30 PM
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U.S. DISTRICT COURT
DISTRICT OF MASS

February 9, 2005

United States District Court
John Moakley U.S. Courthouse
Civil Clerk's Office
Attention: Ms. Lisa Urso
1 Courthouse Way
Boston, MA 02210

**Re: Weinberger v. Ojala and Down Cape Engineering, Inc.
U.S. District Court C.A. No. 04-10731RWZ**

Dear Ms. Urso:

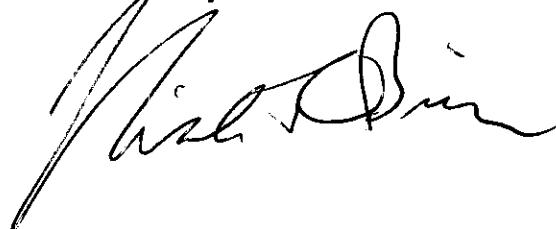
As discussed with you by phone yesterday, the parties in this action have agreed to mediate the dispute and intend to report that decision to Judge Zobel at the pre-trial conference scheduled for 3:00 p.m. on February 16, 2005. In light of that decision, you informed me that the conference will not be a final pre-trial conference and that the parties will not be required to file any submissions. You also informed me that the conference may be conducted telephonically and you asked me for each party's telephone number for purposes of setting up the conference. All parties wish to proceed telephonically and our numbers are as follows:

Plaintiff's counsel, Jerry Effren: **508/ 881-4950.**
Defendants' counsel, William Burke: **617/ 292-2300.**

Thank you for your assistance.

Very truly yours,

Law Offices of Jerry C. Effren



Michael J. O'Brien

Cc: William Burke, Esq.

Ms. Deborah A. Weinberger
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